

REMARKS

Reconsideration of this application as amended is respectfully requested.

In the Office Action dated December 8, 2005, claims 1-21 and 25 were pending. Claims 1-21 and 25 were rejected. In this response, claims 1-5, 7-19 and 25 remain pending.

Amendments

Amendments to the Claims

Claims 1, 15 and 25 have been amended. Claims 6 and 20 have been canceled without prejudice. No claims are added. Support for the amendments can be found throughout the specification as filed. No new matter has been added.

Rejections

Claims 1-5, 7-19 and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Danielson et al., U.S. Patent No. 6,473,795 (hereinafter "Danielson") in view of Van Fleet, U.S. Patent No. 6,961,583 (hereinafter "Fleet"), further in view of "Intelligent Platform Management Interface Specification v1.0" (hereinafter "IPMI1.0"). Applicant hereby reserves the right to swear behind Danielson at a later date. However, Applicant respectfully submits that Applicant's invention as claimed in claims 1-5, 7-19 and 25, as amended, is patentable over Danielson in view of Fleet, further in view of IPMI1.0.

Specifically, for example, claim 1, as amended, includes:

"a first system management application, of a set of system management applications for managing a host system including a second system management application, determining if an unprocessed record is present in a system event log by sending a request to a software process through a message queue;
the software process granting exclusive use of the system event log (SEL) stored in a non-volatile memory of the host system to the first system management application, while preventing the second system management application from accessing the SEL concurrently"
(emphasis added)

Office Action states:

“the system event log stored in a non-volatile memory of the host system [alert log is a circular buffer; col. 10, lines 26-27]”
(Office Action page 2)

It appears Office Action alleges a “circular buffer” implies storage of non-volatile memory. Applicant respectfully disagrees. It is well known in the art that a circular buffer is a commonly used data structure implemented inside a computer RAM (random access memory) used by a process. A computer RAM is generally volatile, where the data stored therein is lost if the power is lost. Hence, circular buffer is not a non-volatile memory. Also, there is no suggestion by Danielson, directly or indirectly, about using non-volatile memory by adopting a circular buffer. In addition, Fleet is completely silent about non-volatile memory. Thus, Applicant respectfully submits the limitation of non-volatile memory is not disclosed nor suggested by either Danielson or Fleet.

Further, Danielson describes an alert log where new alerts will overwrite old alerts (Danielson, col. 10, lines 25-35). However, Danielson’s technique cannot use a non-volatile memory because using a non-volatile memory to store alert log will prevent old alerts from being written during power-off. Hence, Danielson inherently teaches away from non-volatile memory limitation as included in claim 1, as amended.

Claim 1, as amended, also includes a management application granted exclusive use of the system event log by sending a request through a message queue to a software process. Applicant respectfully submits that the cited references fail to teach or suggest the above noted limitations.

Rather, Danielson describes an alert manager for making a first attempt to deliver alerts from an alert log and a retry manager for making subsequent attempts to deliver alerts (Danielson, abstract). Fleet, on the other hand, teaches a method called by a thread to retrieve the current value of the Event List Anchor and determine whether or not the current value equals Event Locked (Fleet, col. 5 lines 15-17, col. 6 lines 40-45). IPMI1.0 defines standardized, abstracted interfaces to platform management hardware. Nowhere in Danielson, Fleet and IMPI1.0 discloses or suggests a management application granted exclusive use of the system event log by sending a request through a message queue to a software process.

Further, Danielson discloses an alert delivery system related to hardware manageability support system in network environments. Fleet, on the other hand, teaches a method of maintaining a list for threads which are awaiting the occurrence of an event within operating systems. Clearly, Danielson and Fleet are in different arts. Additionally, there is neither suggestion nor motivation in both Danielson and Fleet to combine the references.

As such, not only do Danielson, Fleet and IPMI1.0 not disclose, individually or in combination, all limitations of claim 1, but the references, considered as a whole, do not suggest the desirability and thus the obviousness of making the combination. Even if they were combined, such a combination still lacks the limitations set forth above.

Therefore, Applicant respectfully submits that claim 1, as amended, is patentable over Danielson in view of Fleet, further in view of IPMI1.0 under U.S.C. §103(a).

Independent claims 15 and 25, as amended, include limitations similar to those discussed above. Therefore, for the reasons similar to those discussed above, Applicant respectfully submits that claims 15 and 25, as amended, are patentable over Danielson in view of Fleet, further in view of IPMI1.0 under U.S.C. §103(a).

Given that claims 3-5 and 7-14 depend from claim 1, claims 16-19 and 21 depend from claim 15, at least for the reasons similar to those discussed above, it is respectfully submitted that claims 3-5, 7-14, 16-19 and 21 are patentable over the cited references.

In view of the foregoing, Applicant respectfully submits the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

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